### § 20.1

#### Subpart J—Action by the Board

- 20.900 Rule 900. Order of consideration of appeals.
- 20.901 Rule 901. Medical opinions and opinions of the General Counsel.
- 20.902 Rule 902. Filing of requests for the procurement of opinions.
- 20.903 Rule 903. Notification of evidence secured and law to be considered by the Board and opportunity for response.
- 20.904 Rule 904. Vacating a decision.
- 20.905-20.999 [Reserved]

### Subpart K—Reconsideration

- 20.1000 Rule 1000. When reconsideration is accorded.
- 20.1001 Rule 1001. Filing and disposition of motion for reconsideration.
- 20.1002 Rule 1002. [Reserved]
- 20.1003 Rule 1003. Hearings on reconsideration.
- 20.1004-20.1099 [Reserved]

### Subpart L—Finality

- 20.1100 Rule 1100. Finality of decisions of the Board.
- 20.1101 Rule 1101. [Reserved]
- 20.1102 Rule 1102. Harmless error.
- 20.1103 Rule 1103. Finality of determinations of the agency of original jurisdiction where appeal is not perfected.
- 20.1104 Rule 1104. Finality of determinations of the agency of original jurisdiction affirmed on appeal.
- 20.1105 Rule 1105. New claim after promulgation of appellate decision.
- 20.1106 Rule 1106. Claim for death benefits by survivor—prior unfavorable decisions during veteran's lifetime.
- 20.1107-20.1199 [Reserved]

### Subpart M—Privacy Act

- 20.1200 Rule 1200. Privacy Act request—appeal pending.
- 20.1201 Rule 1201. Amendment of appellate decisions.
- 20.1202-20.1299 [Reserved]

#### Subpart N—Miscellaneous

- 20.1300 Rule 1300. Removal of Board records.
- 20.1301 Rule 1301. Disclosure of information.
- 20.1302 Rule 1302. Death of appellant during pendency of appeal.
- 20.1303 Rule 1303. Nonprecedential nature of Board decisions.
- 20.1304 Rule 1304. Request for change in representation, request for personal hearing, or submission of additional evidence following certification of an appeal to the Board of Veterans' Appeals.

# Subpart O—Revision of Decisions on Grounds of Clear and Unmistakable Error

- 20.1400 Rule 1400. Motions to revise Board decisions.
- 20.1401 Rule 1401. Definitions.
- 20.1402 Rule 1402. Inapplicability of other rules.
- 20.1403 Rule 1403. What constitutes clear and unmistakable error; what does not.
- 20.1404 Rule 1404. Filing and pleading requirements; withdrawal.
- 20.1405 Rule 1405. Disposition.
- 20.1406 Rule 1406. Effect of revision; discontinuance or reduction of benefits.20.1407 Rule 1407. Motions by the Board.
- 20.1408 Rule 1408. Special rules for simultaneously contested claims.
- 20.1409 Rule 1409. Finality and appeal.
- 20.1410 Rule 1410. Stays pending court action.
- 20.1411 Rule 1411. Relationship to other statutes.

APPENDIX A TO PART 20—CROSS-REFERENCES

 $\mbox{\sc Authority: 38 U.S.C. 501(a)}$  and as noted in specific sections.

SOURCE: 57 FR 4109, Feb. 3, 1992, unless otherwise noted.

## Subpart A—General

# § 20.1 Rule 1. Purpose and construction of Rules of Practice.

- (a) *Purpose.* These rules establish the practices and procedures governing appeals to the Board of Veterans' Appeals.
- (Authority: 38 U.S.C. 501(a), 7102, 7104)
- (b) Construction. These rules are to be construed to secure a just and speedy decision in every appeal.

(Authority: 38 U.S.C. 501(a), 5107, 7104)

# § 20.2 Rule 2. Procedure in absence of specific Rule of Practice.

Where in any instance there is no applicable rule or procedure, the Chairman may prescribe a procedure which is consistent with the provisions of title 38, United States Code, and these rules.

(Authority: 38 U.S.C. 501(a), 512(a), 7102, 7104)

### § 20.3 Rule 3. Definitions.

As used in these Rules:

(a) Agency of original jurisdiction means the Department of Veterans Affairs activity or administration, that